

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**JUAN PEREZ-RODRIGUEZ, et al.,
Plaintiffs**

v.

CIVIL NO. 05-1978(DRD)

**CAMDEN COUNTY SHERIFF'S
DEPARTMENT, et al.,
Defendants**

ORDER

The Court notes that plaintiffs have failed to oppose the United States of America's *Motion to Dismiss* (Docket No. 23). Therefore, the Court deems as unopposed the United States' dispositive motion due to plaintiff's failure to oppose said dispositive motion within the term provided by Local Civil Rule 7.1(b) ("[u]nless within ten (10) days after the service of a motion the opposing party files written objection thereto, incorporating a memorandum of law, the opposing party shall be deemed to have waived objection"). However, the fact that the plaintiff has failed to file its opposition does not translate into automatically granting the remedy sought in the dispositive motion. See, *Tavárez v. Champion Prods., Inc.*, 903 F.Supp. 268, 270 (D.Puerto Rico 1995) ("Although [failure to comply with Local Rule 311.12][at present Local Rules 7.1(b) and 56] does not signify an automatic defeat, it launches the nonmovant's case down the road toward an easy dismissal."). See also, *Cosme-Rosado v. Alfredo Serrano-Rodriguez*, 360 F.3d 42, 46 (1st Cir. 2004).

IT IS SO ORDERED.

In San Juan, Puerto Rico this 5th day of May 2006.

**S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE**